SINGLE BENCH (3)

IN THE HIGH COURT OF CHHATTISHGARH AT BILASPUR
WRIT PETITION NO. 913 /2006

PETITIONER -- Vinod Sharma aged about 23 yrs.
S/O Late Shri Vishnu Prasad Sharma
R/O Village - Bhatgaon,
P.S. Tahsil - Mungeli, Distt. Bilaspur (C.G.)

VERSUS

Respondents
1. The State of Chhattishgarh
Through the Secretary
Education Department
DKS Bhawan, Raipur (C.G.)
2. Distt. Education Officer
Bilaspur (C.G.)
3. The Principal
Thakkar Bapa Primary School
Mungeli, Distt. - Bilaspur (C.G.)
4. The Principal
B.R.Sao Govt. Muit. Her. Sec. School
Mungeli, Distt. - Bilaspur (C.G.)
5. Union of India
through Ministry, New Delhi

P.R. No. 778/06 30/8/06
Presented by Shri Bhanu
dated 14/11/06

RECEIVED-COPY
13/11/06
CLERK to A.G. BILASPUR

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS AND CERTIORARI.

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 913/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3-3-2006

Ku. Sofia Khan, Advocate for the petitioner.

Shri Satish Gupta, Dy. Govt. Adv. for the State.

Ku. Sharmila Singhai, Standing Counsel for Union of India.

Application for urgent hearing is allowed.

With consent, heard finally.

This case relates to compassionate appointment. Learned counsel for the petitioner stated that petitioner's father who was working as Asstt. Teacher in Education Department died on 22-1-1999 i.e. after 1-11-1997 and not earlier. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also.

Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent at that time. He however submits that four months time for issuing necessary orders may be given.

In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of the employee concerned. If the petitioner found eligible, appointment orders will be issued as early as possible preferably within 4 months from the date of production/receipt of a copy of this order. The petitioner is also directed to render due co-operation to the authorities. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law including filing of the petition before this Court.

With the aforesaid observations, this petition stands disposed of.

Certified copy as per rules.

Copy to the State counsel.

Patnaik

Sd/-
Fakhruddin
Judge

[पीछे देखिये